

Court No. - 44

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 49381 of 2023

Applicant :- Hemant Gautam

Opposite Party :- State of U.P.

Counsel for Applicant :- Tahir Ali

Counsel for Opposite Party :- G.A.

Hon'ble Pankaj Bhatia,J.

1. Heard learned counsel for the applicant as well as learned A.G.A. and perused the record.

2. In terms of the FIR, it was alleged that the mother of the informant was attacked by the applicant by the use of sharp instrument, which resulted into grievous injuries.

3. The Counsel for the applicant draws my attention to the medical report, which does not indicate any injury on any vital part of the victim. He argues that the applicant has no criminal antecedents and is in custody since 14.07.2023.

4. Learned A.G.A. vehemently opposed the bail prayer.

5. Considering the fact that the nature of the injuries do not reveal any injury the vital part of the body so as to attract the region of section 307 IPC coupled with the fact that the applicant has no criminal history and there is nothing on record to demonstrate that the applicant if enlarged on bail, would in any way adversely affect the trial, I am of the view that the applicant is entitled to be released on bail. Accordingly, the bail application is **allowed**.

6. Let the applicant **Hemant Gautam** be released on bail in FIR/ Case Crime No.606 of 2023, under Sections 452, 307, 504, 506 IPC, Police Station Chakeri, District Kanpur Nagar/ East (Commissionerate Kanpur Nagar) on his furnishing personal bonds and two reliable sureties of Rs.25,000/- each to the satisfaction of the court concerned with the following conditions:

(a) The applicant shall execute a bond to undertake to attend the hearings;

(b) The applicant shall not commit any offence similar to the offence of which he is accused or suspected of the commission; and

(c) The applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence.

Order Date :- 21.11.2023

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